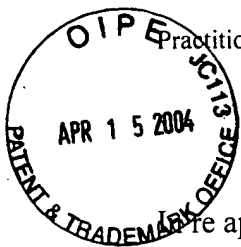


04-19-04

Practitioner's Docket No. 100325.0137US2

PATENT



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re application of: **John Mak**  
Application No.: **Divisional of 10/276857**  
Filed: **Herewith**  
For: **High Propane Recovery Process And Configurations**

**Commissioner for Patents**  
**Washington, D.C. 20231**

**PETITION TO MAKE SPECIAL FOR NEW APPLICATION  
UNDER M.P.E.P. § 708.02, VIII**

**1. Petition**

Applicant hereby petitions to make this new application, which has not received any examination by the Examiner, special.

**2. Claims**

All the claims in this case are directed to a single invention. If the Office determines that all the claims presented are not obviously directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status.

**3. Search**

A search has been made by the USPTO as International Search Authority and International Preliminary Examination Authority. A copy of the IPER is enclosed herewith

**4. Copy of references**

There is submitted herewith a copy of the references deemed most closely related to the subject matter encompassed by the claims.

Also attached is Form PTO-1449. (PTO/SB/08A and 08B)

**5. Detailed discussion of the references**

The Search report in the corresponding International application cited U.S. Pat. No. 4,705,549 to Sapper. The applicant amended the claims and the rejections were withdrawn in the IPER based at least in part on the following argument (which also applies to the present claims):

Sapper fails to teach that a distillation column overhead stream is separated into a fluid portion that provides reflux for the distillation column and a gaseous portion that is liquefied and provides the absorber reflux stream.

Moreover, Sapper teaches a  $C_{3+}$  hydrocarbon separation process in which a rectification column produces an overhead stream that is separated into a fluid portion and a gaseous portion, wherein the *fluid portion is employed as a reflux stream for an absorber*, and wherein the *gaseous portion is removed from the process* as a residue gas (e.g., for combustion). There is no teaching, suggestion, or motivation in the Sapper reference to modify the  $C_{3+}$  hydrocarbon separation process such as to arrive at the configuration as presently claimed. In contrast, the *present claims require that the gaseous portion of the distillation column overhead stream is employed as a reflux stream for the absorber while the fluid portion provides the reflux for the distillation column*, which is entirely inconsistent with Sapper's process.

## 6. Fee

The fee required by 37 C.F.R. 1.17(i) is to be paid by:

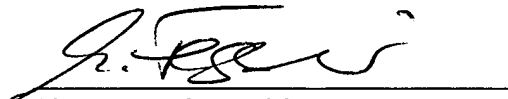
Authorization is hereby given to charge the required fee for filing a Petition to Make Special, \$130.00 to deposit account 502191. In addition, please charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Date:

04/15/04

Reg. No.: 46,697  
Tel. No.: 714-641-5100  
Customer No.: 34284



Signature of Practitioner

Martin Fessenmaier, Ph.D.  
Rutan & Tucker, LLP  
P.O. Box 1950  
Costa Mesa, CA 92628-1950